

# Use of Independent Applicability/Weight of Evidence to Make Assessment Decisions USEPA

March 19, 2008

## USEPA Guidance

- EPA Policy - *Policy on the use of Biological Assessments and Criteria in the Water Quality Program, May 1991 Policy*
- <http://www.epa.gov/waterscience/standards/handbook/handbookappB.pdf>
- CALM – chapter 3  
[http://www.epa.gov/owow/monitoring/calm/calm\\_ch3.pdf](http://www.epa.gov/owow/monitoring/calm/calm_ch3.pdf)
- EPA's Water Quality Handbook-Chapter 3  
<http://www.epa.gov/waterscience/standards/handbook/chapter03.html>

## Listing Considerations

- Consider all types of data equally
  - Biological
  - Chemical
  - Physical
- Make determination of compliance within each data set

## Listing Consideration Continued

- If determinations are the same does the methodology require listing?
  - All data sets are meeting – not listed
  - All data sets are not meeting - list
- If determinations are different then need to consider confidence of each data set

## If Determinations Are Different

- Look each data set and determine quality of data.
- Not one type of data always over rides the other.
- Need to explain why data set one is stronger than data set two.

## Explanation in Methodology

- Need to explain in the Methodology what is used in determining when one data set is used in listing or not listing over another
  - Amount of data
  - Age of data
  - Collection of data QA/QC
  - Frequency of impairment
  - Magnitude of impairment
  - Type of pollutant
    - Toxic
    - conventional

## Identification of Non-listed Waters

- Need to identify when there are conflicting listing determination and why the state choose not to list.